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PTO/SB/17 (10-07)
Approved for use through 05/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).
FEES TRANSMITTAL
For FY 2008

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 1170.00)

| Complete if Known | |
|-------------------------|------------------------|
| Application Number | 10/695,667-Conf. #4456 |
| Filing Date | October 27, 2003 |
| First Named Inventor | Paul J. Maddon |
| Examiner Name | S. L. Rawlings |
| Art Unit | 1643 |
| TOTAL AMOUNT OF PAYMENT | (\$ 1170.00) |
| Attorney Docket No. | P0741.70006US00 |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 23/2825 Deposit Account Name: Wolf, Greenfield & Sacks, P.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Change fee(s) indicated below Change fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEES CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Small Entity | Fee (\$) | Fee Paid (\$) |
|------------------|-------------|----------|-------------|----------|------------------|----------|--------------|----------|---------------|
| | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | | | |
| Utility | 310 | 155 | 510 | 255 | 210 | 105 | | | |
| Design | 210 | 105 | 100 | 50 | 130 | 65 | | | |
| Plant | 210 | 105 | 310 | 155 | 160 | 80 | | | |
| Reissue | 310 | 155 | 510 | 255 | 620 | 310 | | | |
| Provisional | 210 | 105 | 0 | 0 | 0 | 0 | | | |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Small Entity
Fee (\$)
Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

210 105

Multiple dependent claims

370 185

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|
| - 20 = | x | = | |

HP = highest number of total claims paid for, if greater than 20.

| Multiple Dependent Claims | |
|---------------------------|---------------|
| Fee (\$) | Fee Paid (\$) |

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
| - 3 = | x | = | |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | /50 = | (round up to a whole number) x | = | |

4. OTHER FEE(S)
Non-English Specification, \$130 fee (no small entity discount)
Other (e.g., late filing surcharge): 2453 Petition to revive unintentionally abandoned ... 770.00
1462 Petition to expedite 400.00

| SUBMITTED BY | | Registration No. (Attorney/Agent) | Telephone |
|-------------------|--------------------------|--------------------------------------|------------------|
| Signature | | 52,318 | (617) 646-8000 |
| Name (Print/Type) | Janice A. Vatland, Ph.D. | Date | January 31, 2008 |

Certificate of Express Mailing Under 37 CFR 1.10

Express Mail Label No. EM025461768US

Dated: January 31, 2008



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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|--|---|
| Application Number | 10/695,667-Conf. #4456 |
| Filing Date | October 27, 2003 |
| First Named Inventor | Paul J. Madden |
| Art Unit | 1643 |
| Examiner Name | S. L. Rawlings |
| Total Number of Pages in This Submission | Attorney Docket Number P0741.70006US00 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Substitute Sequence Listing; Computer Readable Form; Substitute Statement under 37 CFR 1.825(a) and (b); Petition to Revive Unintentionally Abandoned Application; Petition to Expedite; Copy of Notice to Comply; Return Receipt Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| | <input type="checkbox"/> Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--------------------------------|----------|--------|
| Firm Name | WOLF, GREENFIELD & SACKS, P.C. | | |
| Signature | | | |
| Printed name | Janice A. Vatland, Ph.D. | | |
| Date | January 31, 2008 | Reg. No. | 52,318 |

Certificate of Express Mailing Under 37 CFR 1.10

Express Mail Label No.: EM025461768US

Dated: January 31, 2008



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------------|------------------------|
| 10/695,667 | 10/27/2003 | Paul J. Madden | P0741.70006US00 | 4456 |
| 7590 | 11/15/2007 | | | |
| Janice A. Vatland Wolf, Greenfield & Sacks, P.C. 600 Atlantic Avenue Boston, MA 02210 | | | EXAMINER RAWLINGS, STEPHEN L | |
| | | | ART UNIT 1643 | PAPER NUMBER |
| | | | MAIL DATE 11/15/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RECEIVED
Wolf, Greenfield & Sacks, P.C.

NOV 19 2007

Docketed Already Docketed
Not Required

Initials 1st 2nd

JA V



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450

| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10695667 | 10/27/03 | MADDON ET AL. | P0741.70006US00 |

EXAMINER

Stephen L.. Rawlings, Ph.D.

ART UNIT

PAPER

1643 20071106

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The communication filed on August 16, 2007, is not fully responsive to the Office communication mailed February 16, 2007, for the reason(s) set forth on the attached Notice to Comply With the Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

In particular, as noted at page 4 of the Office action mailed February 16, 2007, the nucleic acid and amino acid sequences depicted in Figure 13 were not identified by sequence identification numbers, either in the figure or in the brief description of figure at page 18. The amendment filed August 16, 2007, amends the brief description of Figure 13 to recite a reference to SEQ ID NOS: 34-37, all of which are nucleotide sequences. None of these identify the amino acid sequences that are depicted in the figure. Accordingly, the amendment filed is not fully responsive to the prior Office action; and Applicant must now provide appropriate amendments to the specification or drawings, inserting the required sequence identifiers. Again, sequence identifiers for sequences appearing in the drawings may appear in the drawings or in the brief description of the drawings.

If a complete reply has not been submitted by the time the period set in the Office communication mailed February 16, 2007, has expired, this application will become abandoned under 37 CFR 1.821(g) unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen L. Rawlings, Ph.D. whose telephone number is (571) 272-0836. The examiner can normally be reached on Monday-Friday, 8:30AM-5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, Ph.D. can be reached on (571) 272-0832.

/Stephen L. Rawlings/
Stephen L. Rawlings, Ph.D.
Primary Examiner
Art Unit 1643



Notice to Comply

| Application No. | Applicant(s) |
|----------------------------|---------------|
| 10/695,667 | MADDON ET AL. |
| Examiner | Art Unit |
| Stephen L. Rawlings, Ph.D. | 1643 |

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other:

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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